

RAILROAD NEWS

WAS NO COMPETITION.

J. C. Stubbs and E. J. Spencer Give Testimony at Merger Hearing.

New York, Feb. 16.—J. C. Stubbs, general traffic director, and E. J. Spencer, eastern general freight manager for the Harriman lines, testified today that there was no real competition between the Southern and Union Pacific railroads prior to their amalgamation in 1901 by the late E. H. Harriman.

The United States government is suing for a dissolution of the Harriman merger on grounds that the roads are competing lines, barred by federal statute from uniting to eliminate competition.

In support of his contention that two lines could serve the same terminals and not compete for business, Mr. Stubbs cited the traffic over the "Shasta route" (Southern Pacific) and the Oregon Transportation company, a water route, between San Francisco and Portland. The steamship service, he said, was better than the railroad service except that it was not daily, and the railroad service took nothing from the steamship line, but originated new business. Therefore the two lines did not compete, he said.

"We made an effort to get some of this business," said Mr. Stubbs, "but we gave it up and quit, and that was before the merger."

Mr. Spencer testified that the Southern Pacific never had been a serious factor in the coast-to-coast trade, that the volume of business originating in the south and southeast, he said, that made the "Sunset route" (Southern Pacific) factor in California. The business of the Southern Pacific between the Atlantic seaboard and Portland, Or., for 1900, he said, was only 15 per cent of the company's total; the Colorado-Utah business only 5 per cent, and the Asiatic business of the company over the same route only 51 of 1 per cent.

C. A. Severance, for the government, offered a formal objection to these figures when he got the witness to admit that they were supplied to him by an auditor and that witness could not swear personally to their accuracy.

Mr. Stubbs compared figures showing the business of several Pacific coast lines prior to the merger. As an example, he stated that in 1901 the tonnage of the Oregon Transportation company, the water route between San Francisco and Portland, was 7,392 tons with a revenue of \$217,000, and that of the Southern Pacific between the same points was 2,156 tons, with \$110,000 revenue. "In my opinion this was not competitive business," said Mr. Stubbs.

Edwin Hawley's name was brought into the testimony when Stubbs declared that in his opinion there was no real competition between the Union and the Southern Pacific gulf routes to points in Colorado and Utah. Atty. Severance for the government called Mr. Stubbs' testimony to the fact that Mr. Hawley had declared when he was witness that the Colorado and Utah business was as eagerly sought by the Southern Pacific as the Union Pacific.

"Mr. Hawley is a competent man, but I don't think he understood what the term competition means. If he had thought a moment he would not have answered that way," said Mr. Stubbs. Referring to the Portland-San Francisco traffic, Mr. Stubbs said the time passenger rate war was "foolish and inexcusable except as an advertisement for the Shasta route."

"We have made all the business we have," the witness continued. "We haven't taken trade from anyone. We have created the business. The boats have as much trade as they ever had. We have spent a lot of money advertising the Shasta route, \$100,000 in one year. We seek to create new business."

"Do you know another place in the United States where there is a similar situation and no real competition between boats and railroad lines?"

"Yes, there is no competition with our steamship line to New Orleans," replied Mr. Stubbs.

ARE USING CUT-OFF.

It is emphatically announced from General Manager Bancroft's office that the report that the Southern Pacific was operating the old line over Promontory while repairs were being made on the Lucin cut-off is entirely without foundation. The cut-off continues to be used, most of the traffic, however, being done over the south track while the north track is being repaired. The roadbed is being rapidly restored to its former condition.

BUSY AT THEATER SITE.

Contractors Raleigh & Harmon were on the site of the proposed magnificent new Newhouse theater, corner of State and Exchange, yesterday morning. Excavation preparations to begin actual excavation work Friday morning. They found the first 10 inches deep in the ground. The excavation will be 20 feet deep. It will require from three weeks to a month to complete their work.

WELL SUPPLIED WITH SMOKES.

Patrolman Egbert arrested this afternoon in Second South street one L. Perry. The policeman could not account for the large store of smoking material in his possession and took him on suspicion. Perry was supplied with large quantities of pipe tobacco, cigarettes and cigars by the boxful.

STOCK CERTIFICATES.

Stock certificates, bonds, and blank books of any size or style made to order. Estimates promptly furnished. THE DESERET NEWS JOB DEPT.

BUS PASSENGERS

Knutson—W. R. Allen, Anaconda, Mont.; W. F. Knox, Beaver, J. C. Almet, New York; E. C. Bush, Denver; E. P. Charlton, Boston; Theodore Marx, St. Louis; W. H. Eldredge, Chicago.

Kenyon—J. G. Gronin and L. S. Burrows, St. Anthony, Ida.; F. F. Smith, Detroit; Mr. and Mrs. A. D. Thomson, St. Paul; W. H. Scott, Pingree, Ida.; T. E. Woodward, Jr., Provo; Mr. and Mrs. R. R. Irvine, Jr., Provo.

Cullen—Alex. McDonald, Eureka; Mr. and Mrs. O. E. B. Gates, Sparks, Nev.; J. T. Spratt, Goldfield; Mr. and Mrs. Percy Vance, Ogden; R. R. Bucks, Ogden; Rudolph Kaiser and A. N. Olsen, Brigham City.

Wilson—J. Graham, Idaho Falls; J. W. Crawford, Logan; S. R. Cox, Springville; W. O. Creer, Provo; Lewis Larson, Mant; M. Blanchard and J. E. McCurdy, Springville.

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COURT NEWS

CRIMINAL COURT.

Stewart Johnson, a cocaine fiend who was brought to book by a bulldog, pleaded guilty to the charge of burglary in the third degree in Judge T. D. Lewis's court this morning and was sentenced to one year in the state prison. While Johnson was searching in the basement of the Brice drug store for cocaine last December, he aroused a bulldog asleep in the basement. Johnson turned off the lights, climbed upon a barrel and stood there like a statue for half an hour while the dog was growling, barking and chasing about the basement in search of him. The dog attracted the attention of the night watchman, who came to investigate. When he turned on the light, there stood Johnson on the barrel. Johnson was commanded to jump down and the dog pounced upon him. He was saved from injury by the night watchman.

Albert Baer, charged with burglary, was found guilty by a jury this morning in Judge Lewis's court. He will be sentenced next week.

George Slade, formerly an inmate of the Utah State Prison, was placed on trial this morning charged with voting illegally at the last city election. A jury was secured in a short time and the case will probably be concluded this afternoon.

WANTS ALIMONY FROM JOHN. Mrs. Hattie F. Mann charges her husband, John Mann, with non-support and desertion, in one count, and then asks to have him restrained from coming home because she lives in fear of him in the second count in her complaint filed this morning in the Third district court. They were married in San Francisco on April 7, 1901, and have one son, John 14 years old. For the last year she alleges that he has refused to support her or their son. He has also threatened her she alleges. She asks for suitable alimony.

DEFENDANTS MUST PAY. The United States Fidelity & Guaranty company, surety on an appeal bond in the case of John Lancelotti against Bert L. Smith and Porter, must pay the sum of \$1,433.75 to Lancelotti, the amount of the judgment he obtained against Smith and Porter. Judgment was rendered against the surety Wednesday by Judge T. D. Lewis because the defendants failed to pay the judgment within 30 days after the remittitur had been handed down from the supreme court affirming the decision of the lower court.

SUIT OVER INSURANCE. The Progress Spinning & Knitting Mills company brought suit against the Southern National Insurance company, the water route between San Francisco and Portland, was 7,392 tons with a revenue of \$217,000, and that of the Southern Pacific between the same points was 2,156 tons, with \$110,000 revenue. "In my opinion this was not competitive business," said Mr. Stubbs.

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NEW INCORPORATIONS.

The Pacific Realty company of Ogden, with a capital of \$25,000 in 100 shares of which 1,000 shares are held as treasury stock, filed articles with the secretary of state yesterday, taking over a part of plat C, in Ogden, and other land in Weber county, owned by Joseph M. Hill and wife, for 99 per cent of the capital. The officers of the company are: J. M. Hill, president; F. Allen McGuire, first vice president and secretary; W. J. Critchlow, second vice president and treasurer, these constituting the directorate.

Articles of the Hiawatha Mercantile company, organized in Salt Lake to carry on a drug, mercantile and real estate business in Hiawatha, Carbon county, were filed with the county clerk yesterday. The company has a capital stock of \$50,000. Officers are: F. A. Sweet, president; C. T. Lemley, vice president; W. H. Sweet, secretary and treasurer. These are the directors, with L. H. Curtis, L. L. Legg, J. H. Riddle and F. W. Francis.

The Troy Mining company of Salt Lake filed articles of incorporation in the county clerk's office yesterday. The capital is \$250,000. Officers are: Philip Morgan, 4,000 shares, president; James H. Ayrie, 4,000 shares, vice president; Devine Pitt, 400 shares, secretary and treasurer. Henry Morgan, 1,000 shares, and A. E. Ayrie, 500 shares, directors.

Articles of incorporation of the Goshen Queen Mining company of Garfield, Utah county, were filed with the secretary of state yesterday. The company has a capital of \$50,000. Officers are: James Ackerson, president; James A. Johnson, vice president; John A. Johnson, treasurer, and Arthur L. Griffith, secretary, who are directors with J. W. Wade.

The Springfield Drug company of Springfield, Utah county, filed articles of incorporation with the secretary of state yesterday, paying the capital stock at \$100,000. Officers are: T. K. Kelly, president; J. M. Graham, vice president; J. A. Evans, secretary and treasurer; and these, with Edna A. Kelly and Vera Graham, are the directors.

An amendment was filed yesterday to the articles of incorporation of the investment company, increasing the capital stock from \$5,000 to \$25,000, at \$5 per share.

The Danmoreau Percheron Horse company of Elmore, Sevier co., filed its articles of incorporation this morning with the secretary of state. The concern is capitalized for \$5,000, divided into shares at \$100 each. Orson P. Lee is president; J. A. Evans, vice president; J. E. Maguire, secretary and treasurer. These officers and Otto Frandsen and Andrea Anderson compose the board of directors.

BIG PIECE OF STEEL ARRIVES.

The largest piece of structural steel ever brought into Salt Lake was hauled up from the depot to the Hotel Utah this afternoon, and attracted a large crowd at the Monument corner. The piece is five feet by 10 feet and weighs 26 tons, or 52,000 pounds. It will be set on the top of steel uprights, 30 feet from the ground in the west end of the building.

LOCAL BRIEFS.

Twenty-seventh Ward—There will be a ward reunion next Tuesday afternoon, the Twenty-seventh ward meetinghouse, when special attention will be given to the old people of the ward. There is to be a dance for the young people in the evening.

Finance Committee to Meet—The finance committee of the board of education will meet at 7:30 o'clock tonight in the rooms of the board to take steps to sell the schools bonds recently voted. The board has received four sealed bids on high school bonds. These bids will be opened at noon Saturday.

Choir Rehearsal—Horace S. Ensign, the assistant director of the tabernacle choir, announces that there will be a rehearsal of singers at the tabernacle at 7:30 this evening.

Fruit Exchange.

The Utah Fruit exchange held a busy business session at the Chamber of Commerce building in Third South street this morning. The board of directors, headed by E. F. Rogers, the "hop head" who stole a large quantity of clothing from the storeroom of the Lennox hotel, pleaded not guilty to the charge of grand larceny. The case will go to the district court at once, as Rogers waived preliminary hearing.

T. D. Jones, charged with grand larceny, pleaded not guilty and will have a hearing March 1. It is alleged that he stole \$50 from J. H. Magnuson in default of bonds in the sum of \$500 he was committed to the custody of the sheriff.

A. A. Whittenberg pleaded not guilty to the charge of embezzling \$213 worth of furniture from the W. I. Frank produce company, and his examination was set for March 24.

John Dolan entered a plea of not guilty to a statutory offense and will be given a preliminary examination on March 25. Unable to give \$1,500 bail, he was sent to the county jail.

Roy Kershaw, charged with obtaining money by false pretenses by cashing a bogus check on Frank Weber, declined to plead, and the case was set for Friday morning for pleading.

JOB PRINTING AND BOOK BINDING. We are the pioneers in Job Printing and Book Binding in the state. Our facilities are the best for handling any class of work, no matter how large or how small. THE DESERET NEWS JOB DEPT.

AMERICAN BEEF

CHEAPER IN EUROPE

New York, Feb. 17.—Paraffin-coated eggs from Europe, nearly a million of which were imported this week, were placed on sale today by hundreds of New York retailers at three to eight cents a dozen less than the price of American coldstorage eggs.

At the same time there came the announcement from market men that American beef exported by way of New York to London is selling there at 3 cents to 5 cents a pound cheaper than the price asked here. The whole-sale beef prices, according to this statement, were as follows:

London—American frozen beef per pound, 8 1/2 to 9 cents.

New York—American frozen beef per pound, 11 1/2 to 14 cents.

JACK SCHAEFER DYING. Denver, Jan. 17.—Jack Schaefer, the "wizard of billiards," is dying at his home in this city.

Schaefer has been in ill health for years. His sickness was responsible for his abandonment of the billiard game, and he came to Denver in an effort to regain his lost strength.

He is so low at present that even the members of his own family are not allowed to see him, and death apparently is only a question of a few days.

Schaefer is 55 years of age and has held every billiard championship of the world.

DAIRY PRODUCTS. Creamery butter, per pound .40 Butter, ranch, per pound .30 Cheese, per pound .20@25 Ranch eggs, per dozen .15 Eastern eggs .25@30 Neufchatel cheese .10

FRUIT.

Oranges, per dozen .30, 40, 45

Three Days' Special in Our Women's Department

50 seasonable RAIN COATS and TOURIST COATS for ladies—all desirable styles and materials—values up to \$40.00

Choice \$14.95

Entire stock of JABOTS, STOCKS, TURN-OVER COLLARS, IRISH-EDGED LINEN COLLARS and NOVELTY BOWS—values up to \$7.50

Choice \$1.75

Entire stock of SWEATER COATS—Values up to \$10.50

Choice \$3.95

GRAY BROS. & CO.
258 SOUTH MAIN ST.

Lemons, per dozen	1.25
Limes, per hundred	1.25
Bananas, per dozen	20@20
Grape fruit, three for	25
Dates, per pound	1.50
Apples, per pound	1.50
Pomegranates, per pound	1.50
Cranberries, per quart	1.25
Pineapples, each	1.50
Florida grape fruit, each	1.50
Dates	1.50
Malaga grapes, per pound	1.50

GROCERIES.	
Lard, per pound	1.25
Beets, in cans, each	1.25
Dill pickles, quart	1.25
Sour pickles, quart	1.25
Popcorn, three pounds for	25
Apples, 14 pounds for	1.00
Citron peel, per pound	1.25
Lemon peel, per pound	1.25
Orange peel, per pound	1.25
Sweet cider, per gallon	1.25
Rye hominy, quart	1.25
Good ordinary butter	30@35
Minced meat, per pound	1.25
Cane sugar, per pound	6.20
Maple sugar, per pound	25@30
Oleomargarine	25@30

NUTS.	
Almonds, per pound	1.25
Walnuts, per pound	1.25
Filberts, per pound	1.25
Peanuts, 2 pounds for	1.25
Mixed nuts, per pound	1.25

FISH.	
Oysters, select, per quart	1.25
Oysters, large selects, per can	1.25
Codfish, per pound	1.25
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Oysters, small, per can	1.25
N. Y. Counts, per can	1.25
Flour, per pound	1.25
Brook Trout, each	1.25
Halibut, per pound	1.25
Salmon, per pound	1.25
Rock Cod, per pound	1.25
Carp, ready for the pan, per pound	1.25
Barracuda, per pound	1.25
Shad roe, per pound	1.25
Black bass, per pound	1.25
Smelts, per pound	1.25

VEGETABLES.	
Celery, two for	1.25
Lettuce, two heads	1.25
New turnips, three for	1.25
Bell pepper, per pound	1.25
Sweet spuds, four pounds for	1.25
Artichokes, 2 for	1.25
Brussels sprouts, per pound	1.25
Cauliflower, per pound	1.25
Parsley, per bunch	1.25
Saratoga chips, per pound	1.25
New cabbage, per pound	1.25
Green onions, per bunch	1.25
Spuds, per peck	1.25
Fresh tomatoes, per pound	1.25
Cucumbers, each	1.25
Japanese peppers, per pound	1.25

MEATS AND POULTRY.	
Dressed beef, per pound	1.25
Dressed veal, per pound	1.25
Dressed pork, per pound	1.25
Dressed mutton, per pound	1.25
Lamb, per pound	1.25
Live hens, per pound	1.25
Dressed sprigs, per pound	1.25
Turkeys, per pound	1.25

DAIRY PRODUCTS.	
Fresh Utah creamery, extra	1.25
Ranch eggs, per dozen	1.25
Ranch eggs, per dozen	1.25
Eastern eggs, per dozen	1.25
Utah cheese, per pound	1.25
Eastern cheese, per pound	1.25

FARM PRODUCE.	
Timothy, per ton	1.25
Alfalfa, per ton	1.25
Wheat, per cwt.	1.25
Oats, per cwt.	1.25
Corn, per cwt.	1.25
Rollod oats, per cwt.	1.25
Barley, per cwt.	1.25
Flour, family, per cwt.	1.25
Flour straight grade, per cwt.	1.25
Bran and shorts, per cwt.	1.25
Corn meal, per cwt.	1.25
Flour, high patent, per cwt.	1.25



Electropodes
POSITIVELY CURE
Rheumatism
A remarkable Electric Device, that is relieving countless people of the pains and causes of Rheumatism, within reach of every sufferer.